TELLS THE FACTS AND NAMES THE NAMES

CounterPunch

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Cross Country Diary

The Lawyer's Tale

Jonathan Lubell on an Inglorious Chapter in the History of the Harvard Law School

By Alexander Cockburn

I drove down to St. Simon Island on the coast of southeast Georgia to spend Thanksgiving with Jonathan Lubell and his wife Dee. Jonathan is the best libel lawyer in the country, carving his way into legal history with such brilliant actions as the suit he fought on behalf of Colonel Herbert against CBS in the late 1970s, where he triumphed before the U.S. Supreme Court in convincing the justices to issue the seminal decision allowing discovery (in legal terms – compulsory disclosure of facts or documents) in defamation cases.

Jonathan has represented *CounterPunch* down the years with 100 per cent success. I've often pestered him to give the full story of how shameful reds-under-the-bed hysteria had got him blocked from a rightful spot on the *Harvard Law Review* at the height of the McCarthy witch-hunts. Until now, he'd always said he'd tell me "some day". Maybe the fact that the White House is about to be occupied by a former *Harvard Law Review* president has made the principle of transparency applicable to the Law School. At all events, he finally gave me the essential story amid the embers of a Thanksgiving buffet at one of the Island's restaurants.

Jonathan and his twin brother David had attended Cornell from 1947 to 1951.

COCKBURN CONTINUED ON PAGE 4

The Largest Wave of Suicides in History

Neoliberal Terrorism in India

By P. Sainath

The number of farmers who have committed suicide in India between 1997 and 2007 now stands at a staggering 182,936. Close to two-thirds of these suicides have occurred in five states (India has 28 states and seven union territories). The Big 5 – Maharashtra, Karnataka, Andhra Pradesh, Madhya Pradesh and Chattisgarh – account for just about a third of the country's population but two-thirds of farmers' suicides. The rate at which farmers are killing themselves in these states is far higher than suicide rates among non-farmers. Farm suicides have also been rising in some other states of the country.

It is significant that the count of farmers taking their lives is rising even as the numbers of farmers diminishes, that is, on a shrinking farmer base. As many as 8 million people quit farming between the two censuses of 1991 and 2001. The rate of people leaving farming has only risen since then, but we'll only have the updated figure of farmers in the census of 2011.

These suicide data are official and tend to be huge underestimates, but they're bad enough. Suicide data in India are collated by the National Crime Records Bureau (NCRB), a wing of the Ministry of Home Affairs, government of India. The NCRB itself seems to do little harm to the data. But the states where these are gathered leave out thousands from the definition of "farmer" and, thus, massage the numbers downward. For instance, women farmers are not normally accepted as farmers (by custom, land is almost never in their names). They do the bulk of work in agriculture – but are just "farmers' wives." This classification enables governments to exclude countless women farmer suicides. They will be recorded as suicide deaths – but not as "farmers' suicides." Likewise, many other groups, too, have been excluded from that list.

The spate of farm suicides – the largest sustained wave of such deaths recorded in history – accompanies India's embrace of the brave new world of neoliberalism. Many reports on that process and how it has affected agriculture have been featured right here, in the columns of *Counterpunch*. The rate of farmers' suicides has worsened particularly after 2001, by which time India was well down the WTO garden path in agriculture. The number of farmers' suicides in the five years – 1997-2001 – was 78,737 (or 15,747 a year on average). The same figure for the five years 2002-06 was 87,567 (or 17,513 a year on average). That is, in the next five years after 2001, one farmer took his or her life every 30 minutes on average. The 2007 figures (detailed below) place that year, too, in the higher trend.

What do the farm suicides have in common? Those who have taken their lives were deep in debt – peasant households in debt doubled in the first decade of the neoliberal "economic reforms," from 26 per cent of farm households to 48.6 per cent. We know that from National Sample Survey data. But in the worst states, the percentage of such households is far higher. For instance, 82 per cent of all farm households in Andhra Pradesh were in debt by 2001-02. Those who killed themselves were overwhelmingly cash crop farmers – growers of"cotton, coffee, sugarcane, groundnut, pepper, vanilla. (Suicides are fewer among food crop farmers – that is, growers of rice, wheat, maize, pulses.) The

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brave new world philosophy mandated countless millions of Third World farmers forced to move from food crop cultivation to cash crop (the mantra of "export-led growth"). For millions of subsistence farmers in India, this meant much higher cultivation costs, far greater loans, much higher debt, and being locked into the volatility of global commodity prices. That's a sector dominated by a handful of multinational corporations. The extent to which the switch to cash crops impacts on the farmer can be seen in this: it used to cost Rs.8,000 ($165 today) roughly to grow an acre of paddy in Kerala. When many switched to vanilla, the cost per acre was (in 2003-04) almost Rs.150,000 ($3,000) an acre. (The dollar equals about 50 rupees.)

With giant seed companies displacing cheap hybrids and far cheaper and hardier traditional varieties with their own products, a cotton farmer in Monsanto's net would be paying far more for seed than he or she ever dreamed they would. Local varieties and hybrids were squeezed out with enthusiastic state support. In 1991, you could buy a kilogram of local seed for as little as Rs.7 or Rs.9 in today's worst affected region of Vidarbha. By 2003, you would pay Rs.350 ($7) for a bag with 450 grams of hybrid seed. By 2004, Monsanto's partners in India were marketing a bag of 450 grams of Bt cotton seed for between Rs.1,650 and Rs.1,800 ($33 to $36). This price was brought down dramatically overnight due to strong governmental intervention in Andhra Pradesh, where the government changed after the 2004 elections. The price fell to around Rs.900 ($18) – still many times higher than 1991 or even 2003.

Meanwhile, inequality was the great man-eater among the "Emerging Tiger" nations of the developing world. The predatory commercialization of the countryside devastated all other aspects of life for peasant farmer and landless workers. Health costs, for instance, skyrocketed. Many thousands of youngsters dropped out of both school and college to work on their parents' farms (including many on scholarships). The average monthly per capita expenditure of the Indian farm household was just Rs.503 (ten dollars) by early this decade. Of that, 60 per cent roughly was spent on food and another 18 per cent on fuel, clothing and footwear.

The spate of farm suicides – the largest sustained wave of such deaths recorded in history – accompanies India's embrace of the brave new world of neoliberalism.

Farmers, spending so much on food? To begin with, millions of small and marginal Indian farmers are net purchasers of food grain. They cannot produce enough to feed their families and have to work on the fields of others and elsewhere to meet the gap. Having to buy some of the grain they need on the market, they are profoundly affected by hikes in food prices, as has happened since 1991, and particularly sharply earlier this year. Hunger among those who produce food is a very real thing. Add to this the fact that the "per capita net availability" of food grain has fallen dramatically among Indians since the "reforms" began: from 510 grams per Indian in 1991, to 422 grams by 2005. (That's not a drop of 88 grams. It's a fall of 88 multiplied by 365 and then by one million Indians.) As prof. Utsa Patnaik, India's top economist on agriculture, has been constantly pointing out, the average poor family has about 100 kg less today than it did just ten years ago – while the elite eat like it's going out of style. For many, the shift from food crop to cash crop makes it worse. At the end of the day, you can still eat your paddy. It's tough, digesting cotton. Meanwhile, even the food crop sector is coming steadily under corporate price-rigging control. Speculation in the futures markets pushed up grain prices across the globe earlier this year.

Meanwhile, the neoliberal model that pushed growth through one kind of consumption also meant re-directing huge amounts of money away from rural credit to fuel the lifestyles of the aspiring elites of the cities (and countryside, too). Thousands of rural bank branches shut down during the 15 years from 1993-2007.

Even as incomes of the farmers crashed, so did the price they got for their cash crops, thanks to obscene subsidies to corporate and rich farmers in the West, from the U.S. and EU. Their battle over cotton subsidies alone (worth billions of dollars) destroyed cotton farmers not merely in India but in African nations such as Burkina Faso, Benin, Mali, and Chad. Meanwhile, all along, India kept reducing investment in agriculture (standard neoliberal procedure). Life was being made more and more impossible for small farmers.

As costs rose, credit dried up. Debt went out of control. Subsidies destroyed their prices. Starving agriculture of investment (worth billions of dollars each year) smashed the countryside. India even cut most of the few, pathetic life supports she had for her farmers. The mess was complete. From the late-'90s, the suicides began to occur at what then seemed a brisk rate.

In fact, India's agrarian crisis can be summed up in five words (call it Ag Crisis 101): the drive toward corporate farming. The route (in five words): predatory commercialization of the countryside. The result: The biggest displacement in our history.

Corporations do not as yet have direct control of Indian farming land and do not carry out day-to-day operations directly. But they have sewn up every other sector, inputs, outlets, marketing, prices, and are heading for control of water as well

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(which states in India are busy privatizing in one guise or another).

The largest number of farm suicides is in the state of Maharashtra, home to the Mumbai Stock Exchange and with its capital Mumbai being home to 21 of India's 51 dollar billionaires and over a fourth of the country's 100,000 dollar millionaires. Mumbai shot to global attention when terrorists massacred 180 people in the city in a grisly strike in November. In the state of which Mumbai is capital, there have been 40,666 farmers' suicides since 1995, with very little media attention.

Farmers' suicides in Maharashtra crossed the 4,000-mark again in 2007, for the third time in four years, according to the National Crime Records Bureau. As many as 4,238 farmers took their lives in the state that year, the latest for which data are available, accounting for a fourth of all the 16,632 farmers' suicides in the country. That national total represents a slight fall from the 17,060 farm suicides of 2006. But the broad trends of the past decade seem unshaken. Farm suicides in the country since 1997 now total 182,936.

To repeat, the five worst affected states – Maharashtra, Andhra Pradesh, Karnataka, Madhya Pradesh and Chattisgarh – account for two-thirds of all farmers' suicides in India. Together, they saw 11,026 in 2007. Of these, Maharashtra alone accounted for over 38 per cent. Of the Big 5, Andhra Pradesh saw a decline of 810 suicides against its 2006 total. Karnataka saw a rise of 415 over the same period. Madhya Pradesh (1,375) posted a decline of 112. But Chattisgarh's 1,593 farm suicides mean an increase of 110 over 2006. Specific factors in these states nourish the problem. These are zones of highly diversified, commercialized agriculture where cash crops dominate. Water stress has been a common feature, and gets worse with the use of technologies such as Bt seed that demand huge amounts of water. High external inputs and input costs are also common, as also the use of chemicals and pesticides. Mindless deregulation dug a lot of graves, lit a lot of pyres.

Maharashtra registered a fall of 215 farm suicides in 2007. However, no other state even touches the 3,000 mark. And AP (with 1,797) and Karnataka (2,135) – the next two worst hit states – together do not cross Maharashtra's 4,000-plus mark. A one-year dip of 221 occurred in 2005 too, in Maharashtra, only to be followed by an all-time high of 4,453 suicides in 2006. The state's trend shows no turnaround and remains dismal.

Maharashtra's 2007 figure of 4,238 follows one and a half years of farm "relief packages" worth around Rs.5,000 crore ($1 billion) and a prime ministerial visit in mid-2006 to the distressed Vidharbha region. The state has also seen a plethora of official reports, studies and commissions of inquiry over 2005-07, aimed at tackling the problem. However, the 12,617 farm suicides in the same years is its worst ever total for any three-year period since the state began recording such data in 1995. Indeed, farm suicides in Maharashtra since that year have crossed the 40,000 mark. The structural causes of that crisis seem untouched.

Nationally, farmers' suicides between 2002-07 were worse than for the years 1997-2001. NCRB data for the whole country now exists from 1997-2007. In the five years till 2001, there were 15,747 farmers' suicides a year on average. For the six years from 2002, that average is 17,366 farmers' suicides each year. The increase is distressingly higher in the main crisis states.

CP

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COCKBURN CONTINUED FROM PAGE 1

The two young men, both recipients of Sidney Hillman scholarships at Cornell, went to Harvard Law School from 1951 to 1954.

In their years at Cornell, the Lubell boys had been active politically on civil rights and issues of war and peace, particularly on the Korean War. "We wrote papers and spoke at meetings, taking the position that the U.S.A., in alliance with South Korea, was responsible for the war." Jonathan pointed out that the events in Vietnam, years later, confirmed their view of the Korean War.

At the end of 1952 and start of 1953, Joe McCarthy's Permanent Subcommittee on Investigations, the House Un-American Activities Committee and the Senate Internal Security Subcommittee (this last one often known as the Jenner Committee) were all running hearings on red subversion. "Having been ultimately subpoenaed by more than one of these committees," Jonathan recalls, "I understand that there was some sort of bargaining, and eventually the task of subpoenaing us was taken up by the Jenner Subcommittee.

"We were in our second year and when we received the subpoenas, we went to the office of the dean of the Harvard Law School, Erwin Griswold, who asked what we intended to do. We responded that, of course, we weren't going to cooperate because we believed that the committees' activities violated the First Amendment and the academic freedom that should exist at Harvard Law School. Griswold was furious and told us that others at the Law School would be talking to us. At that time, the dean expressed the position that the Fifth Amendment was available only for those who were involved in criminal activities. Some nine months later, changing his position, the dean wrote that the Fifth Amendment was available to the innocent. This was the position we had taken with Griswold when we first met with him."

Soon thereafter, the Lubells were asked to meet with three professors from the Law School. "The meeting was characterized by an absence of communication. We told the professors that we had no intention of cooperating with the Jenner Committee. When one of the professors evoked the damage that could be suffered by Harvard if we refused to cooperate, we responded that far greater would be the damage to our honor and to what we felt were the principles that the Law School should be upholding. It was necessary to protect the rights set forth in the Constitution; otherwise, our country would be in grave danger.

"The three professors were not of a single mind. One of them had a history of actually working on Attorney General A. Mitchell Palmer's strike force at the end of World War I, which had persecuted reds and suspected radicals. This was professor John McGuire; to his honor, he was clearly the most understanding of our position. Another of the professors, who had a reputation as a 'liberal,' became a judge on the commonwealth of Massachusetts' highest court. During the course of several weeks of discussion with the three professors, David and I were called into the office of one of the professors for 'a private discussion.' He said he had 'great news.' The Jenner Committee's counsel, Robert Morris, had offered to interview us in private in Washington, D.C. No one would know that the interview had occurred. Without any hesitation, both David and I had the same immediate response that 'we would know' and that the offer was unacceptable.

"During this whole period of time it became known that we had been subpoenaed. The result was that no one would sit with us at any of the tables in the Harvard Law School dining room. To make sure we got the message, no one would also sit next to us in any of the classrooms either."

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In addition to the isolation imposed by both the faculty and the students, the school thought to bring pressure from other quarters. "The vice dean, Livingstone Hall, invited our mother to meet with him. His only point was to try to convince her that she should have us take a sabbatical until after the committee's activities were over. She would not entertain the idea that her sons remove themselves from the Law School."

As the scheduled day of appearance before the Jenner Committee grew closer, the pressure on the Lubells escalated. "We informed the vice dean that we were planning to speak with somebody at the ACLU to represent us at the hearing. Hall immediately got very upset, stating that we should not get one of those communist lawyers. It was clear to us that the lawyers favored by the school were not going to help defend our position in any way. In fact, their role seemed to be to get us to give up our rights and change our position."

Finally, Jonathan and David Lubell appeared before the Jenner Subcommittee in 1953. "We briefly explained that we would not cooperate in any way; that the subcommittee's activities directly violated the First Amendment, the Fifth Amendment and the principles of academic freedom that Harvard had reiterated so many times in the past.

"We had made our position clear and then the subcommittee said the hearing was concluded. After our appearance, some of the professors at the Law School told us that we had jeopardized any possibility of ever becoming lawyers. In addition, the scholarship that we had was terminated. However, David and I made it clear that we intended to be lawyers and to be involved in the legal profession."

The next attack involved the *Harvard Law Review*. At no time prior to this had a student been denied membership in the *Law Review* if he or she was academically qualified. "In our case, the *Law Review* convoked a special meeting to discuss whether we would be admitted to the *Law Review*. We had both graduated magna cum laude."

The *Law Review* had a meeting. Jonathan Lubell was told that neither he nor his brother would be admitted. As time passed, other events occurred concerning the Law School and the *Review*.

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"We were informed by students who had been in our class that the main concern of those who voted to keep me off the *Review* was to protect their possibility of becoming successful lawyers." During the same period, the Law School was obviously trying to have the Lubells removed from the Law School: Jonathan and his brother learned that a faculty meeting was held on the subject of whether the Lubells should be expelled. "Soon thereafter, we were told by a faculty member that there was a meeting and that we were lucky that an expulsion required a two-thirds vote. We understood that this meant that a majority of the faculty had voted for our expulsion – regardless of the Law School's widely publicized concern for the protection of the rights guaranteed by the Constitution. That concern was not as powerful as the congressional subversive activities committees. It was a precarious time. Significantly, in the early Seventies, the then current members of the *Law Review* stated that I should have been admitted."

"After that time, a number of our classmates from 1951-54 would bump into either David or me and express their gratification that we had been able to enter the legal profession. (David is a lawyer in the intellectual properties and entertainment fields.) Of course, they did not dwell on the ignoble roles that they played, nor that we had become lawyers without surrendering to the unconstitutional demands of the Jenner Subcommittee."

At one convention of the American Bar Association Jonathan Lubell spoke on the Herbert case. The Law School's former dean, Erwin Griswold, later LBJ's solicitor general, was present. "Those were hard times for Harvard," Griswold said to Jonathan. "To which I replied, 'Dean, they were even harder for me.'"

I vainly begged Jonathan to tell me the names of at least a few of these who would not sit next to him or David in the dining room or the lecture hall. That's how witch-hunts swell in malign potency, as frightened people perform cowardly acts in the cause of self-protection or self-advancement. Victor Klemperer's *I Will Bear Witness*, his diary of the rise of the Nazis, has plenty of kindred examples of such cowardice at the Technische Universität Dresden.

In his memoirs, *I Claud*, my father records a conversation with the owner of a pub in the East End of London just after the Second World War:

"A year or more after the war was over, Mr. Harry took a trip to the Channel Islands – the only bit of the British Isles actually occupied by the Germans during the conflict. He was enthusiastic. He described some huge beer cellar which the German military had remodeled and decorated in the Munich manner – a magnificent place, which, by its existence and the amenities it could offer to the English visitor, showed that out of evil some good could come.

"A majority of the faculty had voted for our expulsion– regardless of the Law School's widely publicized concern for the protection of the rights guaranteed by the Constitution. That concern was not as powerful as the congressional subversive activities committees."

"I made some disobliging remark to the effect that I had read somewhere that a good many of the Channel Islanders had made quite a good thing out of the war – had collaborated with the invaders 100 per cent, given them lists of local Jews so that these could be deported, and so on. Mr. Harry said he had heard similar reports in the islands, and judged them to be well based.

"'But you don't understand, Claud old boy,' he said, 'at the time they did that, those people thought the Germans were going to win.'"

Amid the McCarthy red scare, those Law School grads who shunned the Lubells, those professors who tried to coerce them to testify, were similarly trimming their sails to ensure that they would not displease the winning side. **CP**

The Environmental Factors
Tracking the Causes of Autism
By Steve Higgs

If he is interested in implementing significant environmental change in America, Barack Obama should pick up one pledge made by John McCain in the recent presidential campaign – namely, a commitment to identifying the cause of autism.

Sarah Palin's youngest son, Trig, has Down syndrome, and, as part of their campaign, she and McCain stressed the challenges that parents of special needs children face. A page, titled "Combating Autism in America," on the McCain-Palin website said McCain "believes that federal research efforts should support broad approaches to understanding the factors that may play a role in the incidence of autism, including factors in our environment, for both prevention and treatment purposes."

Autism is not a disease, rather, it's a band of neurodevelopmental abnormalities called Autism Spectrum Disorders (ASDs). Down syndrome is a chromosomal disorder, not an ASD. The Centers for Disease Control (CDC) says citizens with ASDs "have significant impairments in social skills and communication. They often have repetitive behaviors and unusual interests. ... Symptoms of ASDs vary from person to person and range from mild to severe." ASDs are about 6.5 times more prevalent than Down syndrome. And, while on the campaign trail, McCain promised to find the cause.

Obama had a "disabilities team" and a webpage, titled "Supporting Americans with Autism Spectrum Disorders," that states: "Barack Obama and Joe Biden will seek to increase federal ASD funding for research, treatment, screenings, public awareness, and support services to $1 billion annually by the end of his first term in office."

McCain opened a Pandora's box when he included "factors in our environment" in his list of potential contributors to autism. It is one among dozens

HIGGS CONTINUED ON PAGE 8, COL. 2

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Khaled Meshal, leader of Hamas, on the Palestinian Resistance, the Occupation, and Israel's downward path

In mid-May of 2008, CounterPunchers Alexander Cockburn and Alya Rea were among a group of Americans who sat down in a house in a Damascus suburb for two hours with Khaled Meshal, chairman of the political bureau of Hamas. Significant portions of the exchange follow.

Meshal: We, as Palestinians, have the honor of representing a just issue. We have endured atrocities and occupation. Because of the Israeli occupation, half of the Palestinian people live under occupation inside Palestine, and the other half is living without homes outside. Today we, as a Palestinian people, a Palestinian nation, are looking only to live in a peace without occupation. We reject the occupation. We reject the atrocities. And we reject being without a home and away from home. We have no problems with any religion in the world, nor any race in the world. We learned very well that the almighty god Allah created human beings with different races and different religions and he asked us to accommodate these diversities. Hence, we request the same with the nations all over the world to accommodate this just issue.

Our problem is with unfair policies in the international community: preeminently the policies of the American administration. And, of course, we do not consider the people of America responsible for that. I have visited America many times. And I know very well that the American people are very kind people. But our problem is with the foreign policies of successive American administrations. We accepted a state of Palestine on the borders of 1967. The international community failed to pressure Israeli to do the same. So, what is left for Palestinians to do, except resist? For our part, we prefer the peaceful path. But we find the peaceful path blocked. Hence, the Palestinians are left with no option but the resistance. And this is what explains why the Palestinian people elected Hamas and why, amid famine and hunger and siege inflicted on the Palestinian people today, you find the same thing-the Palestinian people are supporting Hamas.

"Whenever you increase the level of atrocities in an occupation, at the same level you increase the reaction of the resistance. So, our rockets come within this formula. If the atrocities and occupation stopped, the rockets would stop."

Gaza is the biggest detention camp in the history. Remember Newton's law that to every action there is always an equal opposing reaction. The Israeli occupation is the action, and resistance is the reaction. Whenever you increase the level of atrocities in an occupation, at the same level you increase the reaction of the resistance. So our rockets come within this formula. If the atrocities and occupation stopped, the rockets would stop.

Israel's habit is to set its own agenda, to put its match to the fire any time it wants and to stop the fire anytime it wants. They don't want a reciprocal commitment. You know why? Because they feel that the Arabs are weak. Why should they respect them? Why should they manufacture any reciprocal formula with them? Hence, I say that the peace cannot be made between a weak party and a strong one. Peace is manufactured by strong parties. We are ready for peace, but one forged from competition and reciprocity, without atrocities and without occupation.

AC: What do you think Israel's ultimate strategy or vision is? What is its idea of a solution?

Meshal: I believe that Israel wants to keep the land of Palestine. Gaza is an exceptional case. Because of Gaza's high population density and size, it was OK for the Israelis to leave. But because of religious considerations, issues of access to water, military outposts, Israel will never surrender the West Bank. Yes, they may offer to withdraw from 60 or 70 per cent of it. Sometimes they offer 40 or 50 per cent of the land. But this is a temporary tactic in order to win time, to build or to establish a "reality on the ground," to expand settlements, and chop up the land in such a way that it is impossible build any national entity. In any peace proposal, Israel always wants to keep four settlement blocs on the West Bank. The biggest is the one surrounding Jerusalem; the second bloc is the northern area of the West Bank. The third is in the southern area of the West Bank and the fourth in the Jordan Valley. So, what is left of the West Bank then?

When former President Carter visited over here, I told him that the circumstances surrounding the Camp David peace agreement between Egypt and Israel no longer exist. In those days, Israel was compelled or pressured to sign the agreement for two reasons. First, the war of 1973. By then, the Israelis understood that Egypt was not an easy country to defeat. The second reason is that the then Prime Minister Begin saw that Israel had a major interest in isolating Egypt from the general Arab constituency. Today, Israel is not under the weight of any such compulsions. We told former President Carter that the Palestinian resistance is the only power to force Israel to move.

Q. *Would you accept a single state?*

Meshal: The problem is not with what

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the Palestinians or the Arabs might accept. The Palestinians have accepted many things. And the Arabs have accepted many things. But Israel refused. Even what the Israelis did endorse, under the auspices of the Americans, the American organizations, Israel did not abide by. The main question is: is Israel going to accept or not? The mistake in Arab strategy and in the strategy of the former Palestinian leadership consists in the various easy offers, duly rejected by the Israelites. We will not adopt that track. Israel has to offer. They have to propose what they want to accept. Then we will respond.

AC: You've said that force and the ability to resist is the only thing that Israel and its backers will understand. How will this resistance continue and unfold under the leadership of Hamas?

Meshal: The resistance in Palestine is living in a very abnormal situation. Under classical conditions of resistance, there should be no resistance in Palestine. There's no international party, which supports us. The Arab neighborhood and the regional neighborhood do not welcoming the resistance, though there are some regional parties who collaborate with the resistance. So, from a holistic perspective, the "whole" wins against the resistance. So, what is the secret behind the steadfastness of the resistance? First of all, the ferocity of the occupation. Hence, with such pressure there is a reaction from the people, which is the resistance. The second element is Israeli intransigence. The Palestinians have tried the negotiation option, and they gave chance for the peace process to succeed: with Oslo agreements, its aftermath, with 1991 and the Madrid conference. The Palestinian people tracked the peace process, the negotiations, and the result was negative. Hence, the Palestinian people understood that all other paths are blocked. This reality has pushed the Palestinians to steadfastness in their resistance. Third, there is no other party internationally that the Palestinians can depend on. An American administration could pressure the Israelis, but they don't do so. When we talk about the international community, they are helpless in front of Israel.

Hence, the Palestinian people consider resistance not as an option or as an alternative but as a way of life, a way to survive. Now, does this resistance have a future or is time against it? I would say that the future is for the resistance and the future is for the Palestinian people. Today, Israel refuses the proposals offered by the Arabs and the Palestinians: it's Israel's loss because the future is not in its favor.

Q: Is Hamas willing to accept a two-state solution if Israel withdraws to the '67 borders?

Meshal: In order to unify the Palestinian position politically, we agreed on one political platform in 2006, in a document we signed. We called it the National Conciliation Document. And we said in it that we accepted a state of Palestine on the basis of the borders of 1967, including Jerusalem, without settlements and with the right of return to the refugees. This is a platform we agreed upon. But we, in Hamas, have a very important issue and that is not to recognize Israel. But not recognizing it does not imply war with Israel. What we want is a state of Palestine on the borders of 1967. Then, there will be a cease-fire between us and Israel. We say that international relations between states are not always established on the basis of reciprocal recognition. And when a Palestinian state is established, it will specify the level of relation with Israel. The big challenge for all of us today is to give a chance to Palestinians to live in peace. The problem today is that the Palestinian people are the victim. Half live under Israeli occupation amid deadly conditions. The rest are refugees in the camps, without a homeland. And so the victim here – the Palestinian people – is being asked to recognize Israel? This is unfair.

"The mistake in Arab strategy and in the strategy of the former Palestinian leadership consists in the various easy offers, duly rejected by the Israelites. We will not adopt that track. Israel has to offer. They have to propose what they want to accept. Then we will respond."

Q: *You mean, they're saying, "Recognize Israel now." They're asking the Palestinians to say, "It's okay to go ahead and steal our land, we forgive you."*

Meshal: Of course.

AC: If we'd been having this conversation 30 years ago, there would've been a mention of the U.N., but no one here today has mentioned the U.N. Do you think now the U.N. is purely an instrument of the United States?

Meshal: Unfortunately, United Nations is rendered a joke.

Q: You're with the Israelis on that point.

AC: Earlier you said the future of Israel is not that good, not that bright. Could you elaborate on that?

Meshal: When we tried to read the future, we read it with the perspective of the past and the present. And we read it with the measurements of the nation's values and the people. Is there any future for occupation and settlement? Is there any nation in the history of the world that insisted to establishing its own rights and failed to do so? Third question: since 1948, if we want to draw a curve of Israel's progress, do you think that this curve is still heading up, or maybe is at a plateau, or is heading down? I believe that the curve is now in descent. And today, the military might of Israel is not capable of concluding matters to Israel's satisfaction.

Since 1948, you may notice that Israel has defeated 7 armies. In '56 they defeated Egypt. In '67 they defeated 3 countries: Egypt, Syria, and Jordan. In '73, the war was somewhat equal on both sides between Egypt and Israel; if not for Nixon's airlift to Israel's forces at that time, the map of the world would be different. In '82 Israel defeated the PLO in Beirut. But since '82, 26 years ago, Israelis has not won any war. They did not defeat the Palestinian resistance, and they did not

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defeat the Lebanese resistance. Since that time, Israel has not expanded but has contracted. They have withdrawn from southern Lebanon and from Gaza.

These are indicators that the future is not favorable to Israel. Then today Israel, with all its military capabilities – conventional and unconventional – are not enough to guarantee Israel's security. Today, with all these capabilities, they can't stop a simple rocket from being launched from Gaza.

Hence the big question is, can military might ensure security? Hence, we may say that when Israel refusing the Arab and the Palestinian offer, a state of Palestine on the border of 1967, Israel is losing a big opportunity. Some years down the road, a new Palestinian generation, new Arab generations, may not accept those conditions, because the balance of power may not be in Israel's favor.

Alya R.: My question is about using violent means. When people use violent means, inevitably innocent people suffer, in particular children – not only on the Palestinian side, but Israeli children too. What do you think about the use of violence?

Meshal: Good question. We do not like to see any victim, such as a child or a woman, even on the Israeli side, even though at the start it was the Israelis who attacked us. But, unfortunately, the insistence on violent repression by our assailants leads to innocent blood on the street. Since 1996, 12 years ago, we have proposed to exclude civilian targets from the conflict (on both sides). Israel did not respond to that. When Israel insists on killing our kids, our elders and senior citizens and women, and bombard houses with the guns ships, F16s and Apaches, when Israel continues these attacks, what is left for the Palestinians to do? They are defending themselves with whatever they have. If the situation was such that we had a smart missile, we would never launch it, unless at a military target. But our missiles and rockets are very crude. Hence we fire it, within its own capabilities, in reaction to Israeli atrocities. And we do not know specifically what it will target. Had it been that we had smart missiles – and we wish that some countries could give us these – rest assured that we will never aim at anything except the military targets. **CP**

HIGGS CONTINUED FROM PAGE 5

of diseases, disorders and conditions that are linked to exposure to industrial chemicals. Others include asthma, cerebral palsy, attention deficit hyperactivity disorder, developmental disabilities, cancer, birth defects and impaired mental, emotional and sexual development. And Senator McCain was entirely right to be "very concerned about the rising incidence of autism among America's children," as his website says.

A study from the California Department of Health Services which was published in the March 7, 2001, issue of the *Journal of the American Medical Association* noted a "marked, sustained increase in autism case numbers" from children born in 1980 and in 1994. The 1980 data showed 0.44 cases per 1,000 live births. The 1994 data showed 2.08 cases per 1,000, a 373 per cent relative increase.

McCain opened a Pandora's box when he included "factors in our environment" in his list of potential contributors to autism. It is one among dozens of diseases, disorders and conditions that are linked to exposure to industrial chemicals.

In 2007, the CDC published two studies that put the incidence of ASDs among 8-year-olds at 1 in 150. They reviewed records of children born in 1992 and 1994. One study analyzed data collected in 2000 from six states – including McCain's home state of Arizona. The other expanded the sample to 14 states in 2002.

The results were nearly identical – 6.7 and 6.6 incidences per 1,000.

Comparing the CDC's data with California's, the incidence of autism increased 1,422 per cent since 1980 and 222 per cent since 1994.

In an article titled "Incidence of autism spectrum disorders: changes over time and their meaning," published in the January 2005 edition of the journal *Acta Paediatrica*, a British researcher says much of the increase can be attributed to diagnostic changes. "The true incidence of autism spectrum disorders is likely to be within the range of 30–60 cases per 10,000, a huge increase over the original estimate 40 years ago of 4 per 10,000," Michael Rutter from London's Institute of Psychiatry, Kings College, wrote. "The increase is largely a consequence of improved ascertainment and a considerable broadening of the diagnostic concept."

But even Rutter, who denies there is an "autism pandemic," accepts that environmental toxins may play a role. "A true risk due to some, as yet to be identified, environmental risk factor cannot be ruled out," he wrote.

Any search for environmental risk factors implicated in the rise in autism diagnoses would inevitably lead to Dr. Philip J. Landrigan, a pioneer in the study of industrial toxins and their impacts on human health, especially on children's. Here's how the PBS journalist Bill Moyers introduced Landrigan on a May 10, 2002, edition of *NOW*, called "Kids and Chemicals": "Dr. Phil Landrigan is a renowned expert on environmental health and pediatrics who has worked to translate science into public policy and introduce children's environmental health into mainstream medical education."

Moyers opened the show by posing the question, "Are we poisoning our kids?" Landrigan was among the first of several experts to reply. "To me, as a medical detective, the first clue is the increase in the incidence of childhood cancer," he said. "That signals that something is going wrong."

Landrigan is a Harvard-trained pediatrician and professor and chair of Community and Preventive Medicine at the Mount Sinai School of Medicine in New York City. He is also a professor of pediatrics and the director of Mount Sinai's Children's Environmental Health Center. And, as Moyers explained in his introduction, he is a prolific writer: "Dr. Landrigan has published more than 100 original peer-reviewed articles for scientific and medical journals, and written extensively on environmental health. Along with Dr. Herbert Needleman and Mary

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Landrigan, M.P.A., he is the author of the recent book *Raising Healthy Children in a Toxic World: 101 Smart Solutions for Every Family*."

Landrigan has been studying the impacts of industrial toxins on children since 1975, when he published a study, titled "Neuropsychological dysfunction in children with chronic low-level lead absorption," in the British medical journal *The Lancet*. He has long characterized the post-World War II release of tens of thousands of industrial chemicals into the environment as a "massive, toxicological experiment, with our children and our children's children as the experimental subjects."

In an essay titled "Emerging Technologies," intended to be a chapter in the forthcoming third edition of the American Academy of Pediatrics' *Handbook on Children's Environmental Health*, Landrigan writes: "Today, there are more than 80,000 chemicals registered for commercial use with the U.S. Environmental Protection Agency (EPA). Most of these chemicals are new synthetics, and nearly all have been invented in the past 50 years. They did not exist previously in nature."

American industry produces more than 3,000 synthetic chemicals in quantities of 1 million pounds or more per year, which the Environmental Protection Agency classifies as "high-production-volume (HPV) chemicals."

"HPV chemicals are widespread in the modern environment," Landrigan writes. "They are found in a great array of consumer goods, cosmetics, medications, motor fuels and building materials. They are detectable in much of the United States in air, food and drinking water."

In the November 2007 issue of *The Lancet*, Landrigan co-wrote a paper, titled "Developmental neurotoxicity of industrial chemicals," with lead researcher Philippe Grandjean, an adjunct professor at the Harvard School of Public Health. The study addressed the role of toxic chemicals in "neurodevelopmental disorders" like autism, attention deficit hyperactivity disorder, cerebral palsy and mental retardation. "The researchers found that 202 industrial chemicals have the capacity to damage the human brain," a Harvard news release said, "and they conclude that chemical pollution may have harmed the brains of millions of children worldwide."

Among the chemicals the researchers say cause these disorders are: "lead, methylmercury, polychlorinated biphenyls (PCBs), arsenic, and toluene."

Autism's cause is generally unknown. In the 2000 study of ASD incidence, the CDC noted, "The complex nature of these behaviorally defined disorders, together with the current lack of genetic or biologic markers for early and consistent identification, make epidemiologic investigation challenging." The agency said elevated public concern about rising incidence "underscores the need for systematic public health monitoring."

"Today, there are more than 80,000 chemicals registered for commercial use with the U.S. Environmental Protection Agency (EPA). Most of these chemicals are new synthetics, and nearly all have been invented in the past 50 years. They did not exist previously in nature."

In the late 1990s and early 2000s, concerns about a link between autism and childhood vaccinations, such as the measles, mumps and rubella (MMR) drove the science.

In 1998, a British gastroenterologist published a paper in *The Lancet* that suggested a link between the MMR vaccine, bowel disease and autism. He proposed the idea that interaction between viruses in the vaccine could lead to possible brain damage and autism.

The National Institute of Child Health and Human Development reported that other studies in England and Sweden in 1997, 1998 and 1999 found no link. *The Lancet* later called the MMR study "fatally flawed" on a number of grounds, including sample size.

The Institute of Medicine (IOM) at the National Academy of Sciences reviewed all the evidence related to the MMR vaccine and autism in 2000 and found that "the evidence reviewed did not support an association between autism and the MMR vaccine." Regardless of the IOM review's conclusions, the vaccine debate reinforced Landrigan's point that industrial toxins are omnipresent in the environment. Central to the arguments was a vaccine preservative called thimerosal.

"Thimerosal is a mercury-containing organic compound (an organomercurial)," according to the U.S. Food and Drug Administration (FDA). "Since the 1930s, it has been widely used as a preservative in a number of biological and drug products, including many vaccines." The FDA's inability to say whether thimerosal poses a threat to the developing bodies of children reinforces another of Landrigan's long-held arguments – of the 80,000 chemicals out there, little is known about their toxicities. By weight, thimerosal is 50 per cent ethylmercury. But guidelines for acceptable mercury exposure are based upon epidemiological and laboratory studies on methylmercury.

"There is, therefore, an uncertainty that arises in applying the methylmercury-based guidelines to thimerosal," FDA says. "Lacking definitive data on the comparative toxicities of ethyl - versus methylmercury, FDA considered ethyl- and methylmercury as equivalent in its risk evaluation."

The 2007 Grandjean/Landrigan study puts the incidence of neurodevelopmental disorders like autism at one in six children, and they say a new direction in U.S. environmental policy based on the Precautionary Principle is overdue.

"The Precautionary Principle needs to be the bedrock of this new national framework," Landrigan writes in the "Emerging Technologies" essay. "The key element of the Precautionary Principle is that it provides justification for acting in the face of uncertainty. It is a tool for acting on the basis of early warnings."

The Precautionary Principle shifts the burden so that new chemicals are no longer presumed safe until proven dangerous, he writes. And it would empower leaders to protect the interests of the people instead of the polluters. "Application of the Precautionary Principle overcomes the industry tactic of using scientific uncertainty and endless debates over minute details of risk assessment to delay preventive action," Landrigan continues.

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Grandjean is known for his work in neurotoxicity, with his more recent projects focusing on general development and immunotoxicity, according to his online biography from Harvard. "The results have recently inspired downward revisions of methylmercury exposure limits." An internationally known proponent of the Precautionary Principle, his areas of research have included metal toxicology, endocrine disruption, the carcinogenicity of exposure to mineral fibers and the neurotoxicity of lead. He is also a member of the European Food Safety Authority's expert panel on food contaminants.

In an e-mail, Grandjean cited the confusing evidence on the causes of autism and other types of abnormal brain development as justification for precautionary approaches to controlling chemicals that can damage the brain.

Vaccines, he wrote, serve a beneficial purpose. "But they should nonetheless be safe. However, the studies carried out so far have failed to reveal a clear link. If mercury is a cofactor, perhaps it works jointly with some other factors, like genetic predisposition."

The vaccine studies' failure to identify a definitive link between vaccines and autism "should not generate an erroneous impression that environmental factors are without importance," he wrote. Nor should the lack of documentation "be misunderstood as an indication that environmental chemicals play no role."

Such critical debates over uncertain evidence require scientists to ask: "What could be known at this point, given the crude studies that have looked at mercury and a few other chemicals so far?" Grandjean wrote, "My answer is that we may well have overlooked even the most serious chemical exposures."

Those seeing to identify the causes of autism and ASDs must be vigilant, Grandjean continued. And they should target suspected chemicals, even if the documentation is incomplete. "This approach is at the heart of the Precautionary Principle and ways to include it in current prevention strategies are urgently needed."

CP

Steven Higgs can be reached sending an email to him at editor@BloomingtonAlternative.com.

Suffolk Elegies

By Alexander Cockburn

Roger Deakin: *Notes from Walnut Tree Farm.* Hamish Hamilton. 224pp.

Notes from Walnut Tree Farm is set up as the journal of a year, month by month from New Year's Day ("I am lying on my belly in frozen snow and frosty tussocks in the railway wood") through to December 31. This final entry here is eerie, as the editors probably intended. Deakin describes the New Year's Eve walk he's just taken in the darkness, remembering the songs he used to sing with his father as they marched along: "'John Brown's body lies a-mouldering in the grave..' Now, as I turn back along the common, the wind is at my back, and I am no longer battling it. All is suddenly quiet and peaceful, and the wind is no more than a gentle hand on my back. Clouds riding the wind under the stars and the orange glow of Diss beneath them as they cross the common."

Deakin's relationship with his 12-acre patch of Suffolk reminds me of one of the earth's largest living organisms, a 30-acre patch of forest soil in northern Michigan, which is one vast underground mycelial network of *Armillaria bulbosa*, with the funghal spores and tree roots intertwined and mutually nourishing each other.

The rhythms here mime those of a death, though this wasn't the paragraph with which Deakin said farewell to his readers. This energetic British environmental battler, one of the founders of Friends of the Earth, died on August 19, 2006 at the age of 63, having just finished *Wildwood*, his book about trees. From the previous six years he'd been jotting down random observations and research notes for various projects in lined exercise books, 45 in all. From them Alison Hastie and Terence Blacker have picked sentences, paragraphs, sometimes mini-essays and assigned them to the appropriate months, either from specific dates in Deakin's entries, or from context and made up a pretty successful bricolage.

Like so much writing about nature since the late eighteenth century, there's a strong elegiac timbre and the attached melancholy of it being a posthumous memorial. The reader knows, before Deakin does, that for this lively, energetic and busy fellow, bursting with plans for books and prospective odysseys an early death from cancer awaits him, just around the corner. The world of Walnut Tree Farm is about to end, at least from an anthropocentric perspective, which surely was not that of Deakin.

He does not seem to have been much of a mushroom fancier, but Deakin's relationship with his 12-acre patch of Suffolk reminds me of one of the earth's largest living organisms, a 30-acre patch of forest soil in northern Michigan which is one vast underground mycelial network of *Armillaria bulbosa*, with the funghal spores and tree roots intertwined and mutually nourishing each other. Deakin thus communes – in the richest sense of that word - with the creatures of his old hedgerows, the living slime on the bit of Elizabethan moat in which he swam, his coppice wood, his unpoisoned pastures, the hornets in the attic, the badgers in their sett, the young hedgehog warmed back to health behind the Aga stove, the timbers of the old house itself.

He's vigorous in his natural descriptions, fearless in plunging into chilly streams and meres but almost comically averse to dipping into the tides and currents of his own emotional life. From time to time he grits his teeth and dips in his foot. There's a July entry that begins flatly, "I was seventeen when a policeman came to our door and told me my father was dead." He'd been found on a Bakerloo Line tube train at Euston Square station. "He just went

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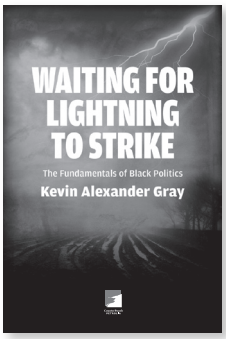

The year that saw an African American run for the presidency—as a viable contender—for the first time in US history also witnessed a truly remarkable silence—one that was scarcely coincidental. In all the millions of words written about the political ascent of one black man, there was virtually nothing about the descent of black leadership into well-nigh total ineffectiveness. Barack Obama's personal itinerary was mapped in the minutest detail. The larger itinerary of African Americans was mostly ignored.

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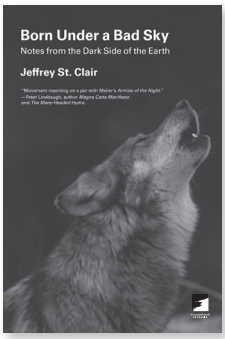

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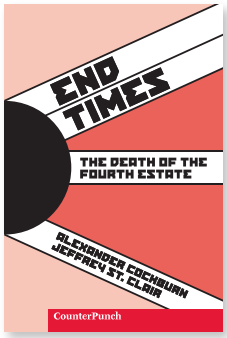

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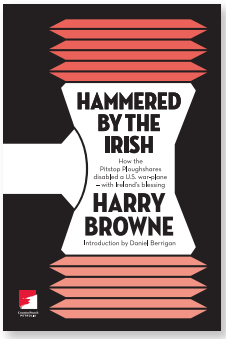

On a damp night in February 2003, as the U.S. prepared to invade Iraq, five Catholic Worker activists scrambled across runways and broke into a hangar at Shannon Airport. Swinging hammers and a pickaxe, they did more than $2.5 million damage to a U.S. Navy transport plane.

The true story of an act of conscience that touched hearts and minds, in an epic of popular resistance. Author Harry Browne is a journalism lecturer at the Dublin Institute of Technology.

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out that morning," Deakin goes on, "and disappeared out of my life.... Thus did I acquire my sense of loss – A deep-seated feeling that has followed me around all my life and that I've never shaken off." It's as though a previously taciturn Hamlet mutters that he's always been bothered by bad dreams. Then the made-in-England curtain of manly discretion falls again.

The journal entries were written, or at least edited, to give the sense of a man with plenty of friends, but living alone and sometimes lonely. "I need someone to fold the sheet," runs an April entry, "someone to take the other end of the sheet and walk towards me and fold once, then step back, fold and walk towards me again. We all need someone to fold the sheet."

Human solitude amid the nonhuman kingdom of nature has sparked the most piercing poetry and prose down the centuries, from Buson's haikus – "Walking on cracked dishes/the rat's feet make the music of shivering cold" to naturalist Douglas Peacock's extraordinary trudges through the northern Rockies or south-western deserts, often thinking of his friend, Edward Abbey. There's a American substrate in Deakin's writing, infrequently explicit, but powerful nonetheless.

His 1960s sensibility, his holism, owe a lot to Stewart Brand's *Whole Earth Catalogue*, the vade mecum of hippies, New Agers, back-to-the-landers like Deakin himself. He does pay homage to Schumacher's *Small is Beautiful*,

But whereas Abbey at full power is like an organ in a cathedral, Deakin is better mannered, like a cello.

but though I may have missed it, not to Abbey himself who shared so many of Deakin's rages at human destructiveness. But whereas Abbey at full power is like an organ in a cathedral, Deakin is better mannered, like a cello. I'll put *Notes from Walnut Tree Farm* on the shelf next to H.J. Massingham's *Remembrance* and the wonderful old Batsford books about the England whose ways Deakin honored with such knowledge and such creative constancy. **CP**

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